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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,015	10/10/2003	Tsuyoshi Watabe	114216-008	3204

43793 7590 01/03/2006

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EXAMINER	
BRITTAIN, JAMES R	
ART UNIT	**PAPER NUMBER**
3677	

DATE MAILED: 01/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/684,015			

EXAMINER	
ART UNIT	PAPER
	12262005

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

See attached Notice of Non-Responsive Amendment.

James R. Brittain
Primary Examiner
Art Unit: 3677

Response to Amendment

The reply filed on October 11, 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant submits new claim independent claim 18 and states:

> New Claim
>
> Claim 18 has been added and is similar to claim 1. Claim 18 reads on Species I and is generic to other Species. Applicant submits claim 18 is fully supported by the application as originally filed. Furthermore, Applicant submits claim 18 is allowable.

Applicant fails to present arguments specifically pointing out why new claim 18 is allowable over the applied art and arguments are required by 37 CFR 1.111(b) which states in pertinent part:

> (b) In order to be entitled to reconsideration or further examination, the applicant or patent owner must reply to the Office action. The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action. The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, ← patentable over any applied references. If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated. The applicant's or patent owner's reply must appear throughout to be a *bona fide* attempt to advance the application or the reexamination proceeding to final action. A general allegation that the claims define a ← patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.

This is further stated in MPEP 714.02 that states in pertinent part:

> The claims may be amended by canceling particular claims, by presenting new claims, or by rewriting particular claims as indicated in 37 CFR 1.121(c). The requirements of 37 CFR 1.111(b) must be complied with by pointing out the specific distinctions believed to render the claims patentable over the references in presenting arguments in support of new claims and amendments.

Applicant must point out the specific distinctions believed to render claim 18 patentable over Holmberg (US 5924178).

Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James R. Brittain whose telephone number is (571) 272-7065. The examiner can normally be reached on M-F 5:30-2:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James R. Brittain
Primary Examiner
Art Unit 3677

JRB